

**BAKER & HOSTETLER LLP**

45 Rockefeller Plaza  
New York, NY 10111  
Telephone: (212) 589-4200  
Facsimile: (212) 589-4201  
David J. Sheehan  
Keith R. Murphy  
Robertson D. Beckerlegge  
Elyssa S. Kates

*Attorneys for Irving H. Picard, Trustee  
for the Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities LLC  
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

NEIL REGER PROFIT SHARING KEOGH,

NEIL REGER, individually and in his capacity as  
Sole trustee of the Neil Reger Profit Sharing Keogh,

Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

Adv. Pro. No. 10-05384 (SMB)

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL  
OF ADVERSARY PROCEEDING WITHOUT PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated SIPA liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the estate of Bernard L. Madoff individually (“Madoff”), by and through his counsel, Baker & Hostetler LLP, and Defendants Neil Reger Profit Sharing Keogh and Neil Reger, individually and in his capacity as sole trustee of the Neil Reger Profit Sharing Keogh (collectively “Defendants” and together with the Trustee, the “Parties”), hereby stipulate and agree to the following:

1. On December 9, 2010, the Trustee filed and served the Complaint against Defendants.

2. On January 25, 2012, the Trustee filed and served the Amended Complaint against Defendants.

3. On September 15, 2015, Defendants filed an answer to the Amended Complaint.

5. On July 16, 2020, the Parties entered into a settlement agreement (the “Settlement Agreement”) pursuant to the Settlement Procedures Order entered by this Court on November 12, 2010 [ECF No. 3181].

6. In accordance with Federal Rule of Civil Procedure 41(a)(1), made applicable hereto by Federal Rule of Bankruptcy Procedure 7041, the Parties hereby stipulate to a dismissal of the Adversary Proceeding without prejudice and without costs to either Trustee or Defendants.

7. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

8. This Stipulation may be signed by the Parties in any number of counterparts, each

of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

*[Remainder of page intentionally left blank.]*

The Bankruptcy Court shall retain jurisdiction over this Stipulation.

Date: July 20, 2020  
New York, New York

**BAKER & HOSTETLER LLP**

By: /s/ Elyssa S. Kates  
David J. Sheehan  
Email: [dsheehan@bakerlaw.com](mailto:dsheehan@bakerlaw.com)  
Keith R. Murphy  
Email: [kmurphy@bakerlaw.com](mailto:kmurphy@bakerlaw.com)  
Robertson D. Beckerlegge  
Email: [rbeckerlegge@bakerlaw.com](mailto:rbeckerlegge@bakerlaw.com)  
Elyssa S. Kates  
Email: [ekates@bakerlaw.com](mailto:ekates@bakerlaw.com)  
45 Rockefeller Plaza  
New York, NY 10111  
Telephone: (212) 589-4200  
Facsimile: (212) 589-4201

*Attorneys for Irving H. Picard, Trustee  
for the Substantively Consolidated SIPA  
Liquidation of Bernard L. Madoff Investment  
Securities LLC and for the Estate of Bernard  
L. Madoff*

**NEIL REGER PROFIT SHARING KEOGH**

By: /s/ Neil Reger  
Neil Reger, Trustee  
4476 Bocaire Blvd.  
Boca Raton, FL 33487-1124  
Telephone: (561)997-5495  
Facsimile: (561) 997-1363  
Email: neilreger@aol.com

/s/ Neil Reger  
Neil Reger, Individually  
4476 Bocaire Blvd.  
Boca Raton, FL 33487-1124  
Telephone: (561)997-5495  
Facsimile: (561) 997-1363  
Email: neilreger@aol.com

SO ORDERED:

Dated: **July 23, 2020**  
New York, New York

**/s/ STUART M. BERNSTEIN**  
Hon. Stuart M. Bernstein  
United States Bankruptcy Judge